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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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GATES & COOPER LLP
HOWARD HUGHES CENTER
6701 CENTER DRIVE WEST, SUITE 1050
LOS ANGELES, CA 90045

EXAMINER	
LIN, KENNY S	

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 05/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/925,597	THERIAULT ET AL.	
	Examiner	Art Unit	
	Kenny Lin	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 January 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *all*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-21 are presented for examination.

2. The IDS filed on 1/21/2004, 4/30/2002, 2/27/2002 and 12/31/2001 are considered by the examiner.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 10 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a. The following terms lack proper antecedence basis:

i. Claim 10, line 1 – the high bandwidth fibre channel (i.e. a high bandwidth fibre channel. High bandwidth fibre channel was not introduced until this point).

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claim 21 is rejected under 35 U.S.C. 102(e) as being anticipated by Pham et al (Pham), US 6,629,145.

7. As per claim 21, Pham taught the claimed invention including a computer readable medium having computer readable instructions executable by a computer such that, when executing said instructions, a computer will perform the steps of:

a. Transmitting details of configuration data to other computer systems executing similar instructions (col.9, lines 66-67, col.10, lines 14-35, 56-64) and

b. Upon receiving transmitted configuration data from another system, adding said configuration data to a local network configuration data structure (col.9, lines 66-67, col.10, lines 14-35, 56-64).

8. Claim 21 is further rejected under 35 U.S.C. 102(e) as being anticipated by Chen, US 6,553, 423.

9. As per claim 21, Chen taught the claimed invention including a computer readable medium having computer readable instructions executable by a computer such that, when executing said instructions, a computer will perform the steps of:

a. Transmitting details of configuration data to other computer systems executing similar instructions (col.5, lines 13-16, 24-29, 50-55, col.6, lines 17-38) and

b. Upon receiving transmitted configuration data from another system, adding said configuration data to a local network configuration data structure (col.4, lines 31-37, col.6, lines 17-20, 22-26, 49-53).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

11. Claims 1, 3-11 and 13-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pothapragada et al (Pothapragada), US 6,389,432, in view of Chen, US 6,553,423.

12. As per claim 1, Pothapragada taught the invention substantially as claimed including image data processing apparatus, comprising a plurality of image processing systems (col.2, lines 39-67) in which each of said image processing systems has direct access to a respective frame storage means (col.1, lines 60-67, col.2, lines 1-3, 39-53; figs. 1 and 16); and

a. A network connecting said image processing systems together so as to allow each connected image processing system to indirectly access the frame storage means

of the other connected image processing systems (col.1, lines 31-39, col.5, lines 12-23); wherein

i. Each image processing system includes a local configuration file specifying details of its respective locally connected storage means (col.7, lines 1-14; registered attributes in lookup table), and

ii. Network communication means (col.7, lines 56-61).

13. Pothapragada did not specifically teach the image processing systems to include a network configuration data structure, and said network communication means is arranged to

i. Transmit details of its associated configuration file to other networked image systems, and to

ii. Add configuration data to its associated network configuration data structure in response to configuration details received from other networked image processing systems.

14. Chen taught a processing system to include a network configuration data structure (col.4, lines 31-37), and a network communication means to transmit details of its associated configuration file to other networked image systems (col.5, lines 13-16, 24-29, 50-55, col.6, lines 17-38), and to add configuration data to its associated network configuration data structure in response to configuration details received from other networked image processing systems (col.6, lines 17-20, 22-26). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Pothapragada and Chen because

Chen's teaching of exchanging configuration file enables the processing systems of Pothapragada's apparatus to dynamically announce new, replace old and withdraw existing communication capabilities between the neighboring processing systems (col.6, lines 17-20, 49-53).

15. As per claim 11, Pothapragada taught the invention substantially as claimed including a method of automatically writing network configuration data structure in a networked image data processing environment, including a plurality of image processing systems (col.2, lines 39-67) in which each of said image processing systems has direct access to a respective frame storage means (col.1, lines 60-67, col.2, lines 1-3, 39-53; figs. 1 and 16), wherein each image processing system includes a local configuration file specifying details of its respective locally connected storage means (col.7, lines 1-14; registered attributes in lookup table), and network communication means (col.7, lines 56-61); and a network connection said image processing systems together so as to allow each connected image processing system to indirectly access the frame storage means of the other connected image processing systems (col.1, lines 31-39, col.5, lines 12-23, col.7, lines 56-61).

16. Pothapragada did not specifically teach the image processing systems to include a network configuration data structure, and said network communication means is arranged to

a. Transmitting details of system configuration data to other network processing systems, and

b. Adding configuration data to a local network configuration data structure in response to configuration details received from other networked image processing systems.

17. Chen taught a processing system to include a network configuration data structure (col.4, lines 31-37), and a network communication means to transmit details of its associated configuration file to other networked image systems (col.5, lines 13-16, 24-29, 50-55, col.6, lines 17-38), and to add configuration data to its associated network configuration data structure in response to configuration details received from other networked image processing systems (col.6, lines 17-20, 22-26). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Pothapragada and Chen because Chen's teaching of exchanging configuration file enables the processing systems of Pothapragada's apparatus to dynamically announce new, replace old and withdraw existing communication capabilities between the neighboring processing systems (col.6, lines 17-20, 49-53).

18. As per claims 3, Pothapragada and Chen taught the invention substantially as claimed in claim 1. Pothapragada further taught said data storage systems include a plurality of disks configured to receive image stripes (col.4, lines 50-67, col.14, lines 20-47).

19. As per claim 4, Pothapragada and Chen taught the invention substantially as claimed in claim 3. Pothapragada further taught including redundant disks to provide data security (col.3, lines 1-8, col.4, lines 50-67).

20. As per claim 13, Pothapragada and Chen taught the invention substantially as claimed in claim 11. Pothapragada further taught image frames are divided into a plurality of stripes and said stripes are direct to respective disk storage devices (col.4, lines 50-67, col.14, lines 20-47).

21. As per claim 14, Pothapragada and Chen taught the invention substantially as claimed in claim 13. Pothapragada further taught including a process of generating redundant data and supplying said redundant data to a redundant disk thereby providing a degree of security (col.3, lines 1-8, col.4, lines 50-67).

22. As per claims 5 and 15, Pothapragada and Chen taught the invention substantially as claimed in claims 4 and 14. Pothapragada further taught said disks are configured as a redundant array of inexpensive disks (col.4, lines 50-67).

23. As per claims 6 and 16, Pothapragada and Chen taught the invention substantially as claimed in claims 1 and 11. Pothapragada further taught said network includes a high bandwidth switching means (col.1, lines 30-40, col.5, lines 12-23).

24. As per claims 7 and 17, Pothapragada and Chen taught the invention substantially as claimed in claims 6 and 16. Pothapragada further taught said high bandwidth switching means is a fibre channel switch (fig2, 200).

25. As per claims 8 and 18, Pothapragada and Chen taught the invention substantially as claimed in claims 1 and 11. Pothapragada further taught said network communication means is an Ethernet network (figs 1 and 2, col.4, lines 7-14, 40-46, col.8, lines 35-65).

26. As per claims 9 and 19, Pothapragada and Chen taught the invention substantially as claimed in claims 1 and 11. Chen further taught including a local disk drive, wherein said configuration data is stored on said local disk drive (col.4, lines 41-45).

27. As per claims 10 and 20, Pothapragada and Chen taught the invention substantially as claimed in claims 1 and 11. Pothapragada further taught including the high bandwidth fibre channel switch and a low bandwidth, wherein image data is transferred over said high bandwidth fibre channel switch (col.1, lines 30-40, col.5, lines 12-23) and said configuration data is transferred over said Ethernet (col.1, lines 60-67, col.2, lines 1-54, col.4, lines 7-15, 40-46, col.6, lines 64-67, col.7, lines 1-61, col.8, lines 35-65).

28. Claims 2 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pothapragada and Chen as applied to claims 1 and 11 above, and further in view of Rosasco, US 6,317,137.

29. As per claims 2 and 12, Pothapragada and Chen taught the invention substantially as claimed in claim 1. Pothapragada and Chen did not specifically teach said data processing systems are based around a silicon graphics O_2, Octane or Onyx2 computer. Rosasco taught to use silicon graphics O_2, Octane or Onyx2 computer (col.10, lines 35-45). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Pothapragada, Chen and Rosasco because Rosasco's teaching of using silicon graphics O_2, Octane or Onyx2 computer would provide Pothapragada and Chen's apparatus the ability to process and access multiple requests for imaging and video data in real time.

Conclusion

30. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Gove et al, US 5,371,896.

Ichikawa et al, US 5,845,148.

Mead et al, US 6,680,942.

Schettler, US 5,572,640.

Wu, US, 5,185,860.

Yanai et al, US 5,537,568.

Cawley et al, US 5,479,210.

Micka et al, US 6,148,383.

Harnois, US 2001/0029612.

31. A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

32. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenny Lin whose telephone number is (571) 272-3968. The examiner can normally be reached on 8 AM to 5 PM Tue.-Fri. and every other Monday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ksl
May 2, 2005